

**SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM**

**SUBJECT:** REQUEST FOR 1) (WEST) REAR YARD SETBACK VARIANCE FROM 10 FEET TO 5 FEET; AND 2) (NORTH) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 3 FEET FOR AN EXISTING SHED; AND 3) (WEST) REAR YARD SETBACK VARIANCE FROM 10 FEET TO 2.4 FEET FOR A SECOND EXISTING SHED IN THE R-1A (SINGLE FAMILY DWELLING DISTRICT); (GENE & PATRICIA GERRY, APPLICANTS).

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Earnest McDonald **CONTACT:** Rich Steiger **EXT.** 7936

**Agenda Date** 1-26-04 **Regular** ☒ **Consent** ☐ **Public Hearing – 6:00** ☐

**MOTION/RECOMMENDATION:**

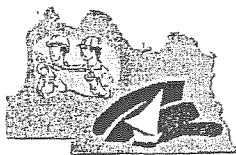
1. **APPROVE** THE REQUEST FOR 1) (WEST) REAR YARD SETBACK VARIANCE FROM 10 FEET TO 5 FEET; AND 2) (NORTH) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 3 FEET FOR AN EXISTING SHED; AND 3) (WEST) REAR YARD SETBACK VARIANCE FROM 10 FEET TO 2.4 FEET FOR A SECOND EXISTING SHED IN THE R-1A (SINGLE FAMILY DWELLING DISTRICT); (GENES & PATRICIA GERRY, APPLICANTS); OR
2. **DENY** THE REQUEST FOR 1) (WEST) REAR YARD SETBACK VARIANCE FROM 10 FEET TO 5 FEET; AND 2) (NORTH) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 3 FEET FOR AN EXISTING SHED; AND 3) (WEST) REAR YARD SETBACK FROM 10 FEET TO 2.4 FEET FOR A SECOND EXISTING SHED R-1A (SINGLE FAMILY DWELLING DISTRICT); (GENES & PATRICIA GERRY, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(District 4 – Henley)

(Rich Steiger, Planner)

<b>GENERAL INFORMATION</b>	<b>APPLICANTS:</b> GENE & PATRICIA GERRY <b>LOCATION:</b> 2306 SANDAL WOOD DRIVE <b>ZONING:</b> R-1A (SINGLE FAMILY DWELLING DISTRICT)
<b>BACKGROUND/ REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANTS REQUEST A TOTAL OF THREE VARIANCES FOR TWO EXISTING, UNPERMITTED, SHEDS THAT ENCROACH INTO THE MINIMUM SIDE AND REAR YARD SETBACKS.</li> <li>• THE FOLLOWING VARIANCES ARE REQUESTED:</li> </ul>

	<ul style="list-style-type: none"><li>○ (WEST) REAR YARD SETBACK VARIANCE FROM 10 FEET TO 5 FEET;</li><li>○ (NORTH) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 3 FOR EXISTING SHED; AND</li><li>○ (WEST) REAR YARD SETBACK VARIANCE FROM 10 FEET TO 2.4 FEET FOR A SECOND EXISTING SHED.</li><li>● THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.</li></ul>
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"><li>● THE APPLICANTS HAVE FAILED TO DEMONSTRATE A HARDSHIP, BASED ON THE STANDARDS FOR GRANTING VARIANCES.</li><li>● THE REQUESTED VARIANCES ARE NOT THE MINIMUM VARIANCES THAT WOULD ENSURE REASONABLE USE OF THE PROPERTY. THE EXISTING SHEDS COULD BE RELOCATED IN THE REAR YARD TO COMPLY WITH APPLICABLE SETBACKS.</li><li>● THE REQUEST WOULD CONFER ON THE APPLICANTS SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHER PROPERTIES WITHIN THE LAURELWOOD SUBDIVISION BY ALLOWING ENCROACHMENT INTO THE REAR AND SIDE YARD SETBACKS WITHOUT THE DEMONSTRATION OF A SPECIAL CIRCUMSTANCE OR HARDSHIP.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE VARIANCES REQUESTED UNLESS THE APPLICANTS CAN DEMONSTRATE A HARDSHIP. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"><li>● ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE EXISTING SHEDS, AS DEPICTED ON THE ATTACHED SITE PLAN</li><li>● ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.</li></ul>



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
1101 EAST FIRST STREET  
SANFORD, FL 32771  
(407) 665-7444 PHONE (407) 665-7385 FAX

**COPY**

APPL. NO. SV2003-183

### APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

☒ **VARIANCE** SIDE (NORTH) SETBACK VARIANCE FROM 7.5' to 2' for existing shed rear yard set from 10' to 2'

☐ **SPECIAL EXCEPTION**

☐ **MOBILE HOME SPECIAL EXCEPTION**

☒ EXISTING ☐ PROPOSED ☐ REPLACEMENT

MOBILE HOME IS FOR

YEAR OF MOBILE HOME \_\_\_\_\_ SIZE OF MOBILE HOME \_\_\_\_\_

ANTICIPATED TIME MOBILE HOME IS NEEDED \_\_\_\_\_

PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN \_\_\_\_\_

MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO

☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	GENES & PATRICIA GERRY	
ADDRESS	2306 SANDALWOOD DR FERRIS PARK FL 32730	
PHONE 1	407 830-7496	
PHONE 2	407 620-3461	
E-MAIL	GGERRY@CFH.RR.COM	

PROJECT NAME: \_\_\_\_\_

SITE ADDRESS: 2306 SANDALWOOD DR.

CURRENT USE OF PROPERTY: HOME

LEGAL DESCRIPTION: SEE PROP. APPR. SHEET

SIZE OF PROPERTY: 7500 sq ft 0.17 acre(s) PARCEL I.D. 19-21-30-518-0000-0090

UTILITIES: ☒ WATER ☐ WELL ☒ SEWER ☐ SEPTIC TANK ☐ OTHER \_\_\_\_\_

KNOWN CODE ENFORCEMENT VIOLATIONS 3-CE0000218

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

This request will be considered at the Board of Adjustment regular meeting on JAN 26<sup>th</sup>, '04  
(mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

☒ Patricia Gerry  
SIGNATURE OF OWNER OR AGENT

11/03/03  
DATE

\* Proof of owner's authorization is required with submittal if signed by agent.

## ADDITIONAL VARIANCES

### VARIANCE 2:

REAR YARD SET BACK VARIANCE FROM  
10' to 2' FOR TWO EXISTING SITES.

### VARIANCE 3:

### VARIANCE 4:

### VARIANCE 5:

### VARIANCE 6:

### VARIANCE 7:

### VARIANCE 8:

## APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL \_\_\_\_\_

BCC PUBLIC HEARING DATE \_\_\_\_\_

FOR OFFICE USE ONLY

### PROCESSING:

FEE: \$150 ☒ COMMISSION DISTRICT 4 FLU/ZONING LDR / R-1A

LOCATION FURTHER DESCRIBED AS WEST SIDE OF SANDLEWOOD  
APPOX 670' SOUTH OF INTERSECTION OF SOUTH ST SANDLEWOOD DR

PLANNER VB DATE NOV 3, 2003

SUFFICIENCY COMMENTS WILL SUPPLY SITE PLAN, AND  
DOUBLE CHECK PROPERTY SIZE FOR CONFORMANCE.

PLAT OF SURVEY  
FOR  
LAURELWOOD HOMES INC  
DESCRIPTION  
LAURELWOOD

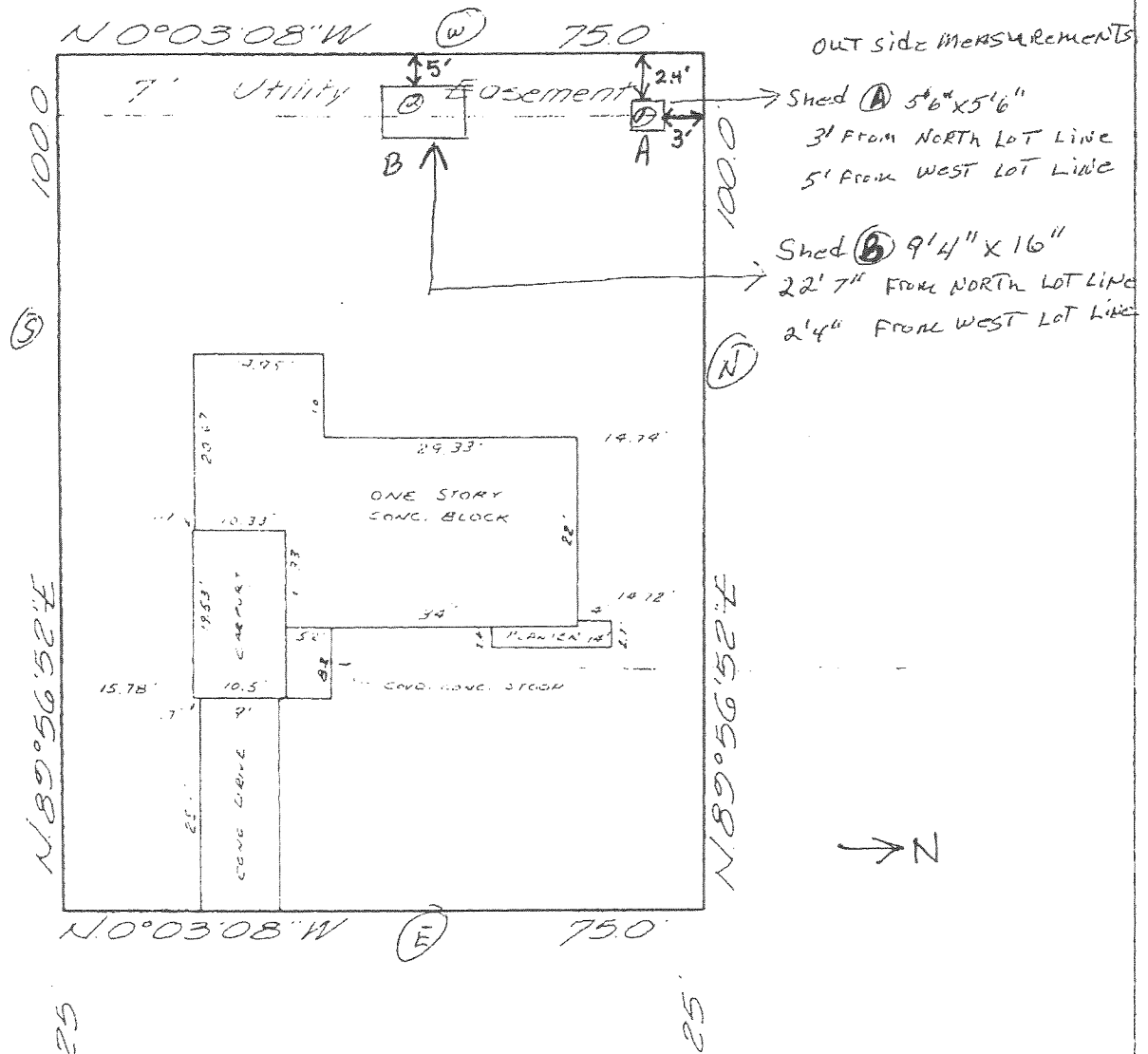
GENE SYPATEK III  
GEPY  
2306 SANDALWOOD  
FERN PARK FL  
32730

Lot 9

APPL NO BV0003-183


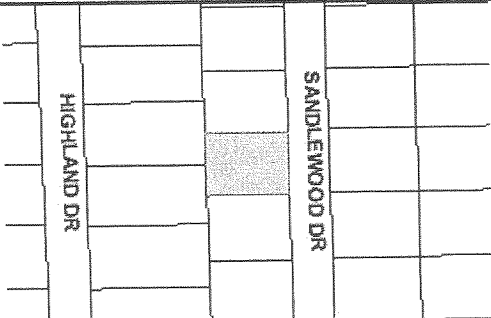

RECORDED IN PLAT BOOK 15 PAGE 85 PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

NORTH



SANDALWOOD DR E

ADDRESS: 2306 SANDALWOOD DRIVE

PARCEL DETAIL	REAL ESTATE	PERSONAL PROP.	TAX ROLL	SALES SEARCH	◀ Back ▶																																				
 <p><b>Seminole County</b> Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>																																									
<p align="center"><b>GENERAL</b></p> <p>Parcel Id: 19-21-30-518-0000-0090      Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: GERRY GENE S &amp; PATRICIA A      Exemptions: 00-HOMESTEAD</p> <p>Address: 2306 SANDALWOOD DR</p> <p>City,State,ZipCode: CASSELBERRY FL 32730</p> <p>Property Address: 2306 SANDALWOOD DR FERN PARK 32730</p> <p>Subdivision Name: LAURELWOOD</p> <p>Dor: 01-SINGLE FAMILY</p>				<p align="center"><b>2004 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$62,307</p> <p>Depreciated EXFT Value: \$2,734</p> <p>Land Value (Market): \$12,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$77,041</p> <p>Assessed Value (SOH): \$60,531</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$35,531</p>																																					
<p align="center"><b>SALES</b></p> <p>Deed Date Book Page Amount Vac/Imp</p> <p>Find Comparable Sales within this Subdivision</p>				<p align="center"><b>2003 VALUE SUMMARY</b></p> <p>Tax Value(without SOH): \$903</p> <p>2003 Tax Bill Amount: \$585</p> <p>Savings Due To SOH: \$319</p> <p>2003 Taxable Value: \$34,112</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																					
<p align="center"><b>LAND</b></p> <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>12,000.00</td> <td>\$12,000</td> </tr> </tbody> </table>				Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	12,000.00	\$12,000	<p align="center"><b>LEGAL DESCRIPTION PLAT</b></p> <p>LEG LOT 9 LAURELWOOD PB 15 PG 85</p>																									
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																				
LOT	0	0	1.000	12,000.00	\$12,000																																				
<p align="center"><b>BUILDING INFORMATION</b></p> <table border="1"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Gross SF</th> <th>Heated SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1971</td> <td>5</td> <td>1,238</td> <td>1,008</td> <td>CONC BLOCK</td> <td>\$62,307</td> <td>\$73,087</td> </tr> <tr> <td colspan="3"></td> <td colspan="6">Appendage / Sqft      OPEN PORCH UNFINISHED / 40</td> </tr> <tr> <td colspan="3"></td> <td colspan="6">Appendage / Sqft      CARPORT UNFINISHED / 190</td> </tr> </tbody> </table>						Bld Num	Bld Type	Year Blt	Fixtures	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1971	5	1,238	1,008	CONC BLOCK	\$62,307	\$73,087				Appendage / Sqft      OPEN PORCH UNFINISHED / 40									Appendage / Sqft      CARPORT UNFINISHED / 190					
Bld Num	Bld Type	Year Blt	Fixtures	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New																																	
1	SINGLE FAMILY	1971	5	1,238	1,008	CONC BLOCK	\$62,307	\$73,087																																	
			Appendage / Sqft      OPEN PORCH UNFINISHED / 40																																						
			Appendage / Sqft      CARPORT UNFINISHED / 190																																						
<p align="center"><b>EXTRA FEATURE</b></p> <table border="1"> <thead> <tr> <th>Description</th> <th>Year Blt</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>ALUM SCREEN PORCH W/CARPET</td> <td>2001</td> <td>240</td> <td>\$1,944</td> <td>\$2,160</td> </tr> <tr> <td>ALUM PORCH W/CONC FL</td> <td>2001</td> <td>135</td> <td>\$790</td> <td>\$878</td> </tr> </tbody> </table>						Description	Year Blt	Units	EXFT Value	Est. Cost New	ALUM SCREEN PORCH W/CARPET	2001	240	\$1,944	\$2,160	ALUM PORCH W/CONC FL	2001	135	\$790	\$878																					
Description	Year Blt	Units	EXFT Value	Est. Cost New																																					
ALUM SCREEN PORCH W/CARPET	2001	240	\$1,944	\$2,160																																					
ALUM PORCH W/CONC FL	2001	135	\$790	\$878																																					
<p><b>NOTE:</b> Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																									

BACK

PROPERTY APPRAISER  
HOME PAGE

CONTACT



Gene & Patricia Gerry  
2306 Sandalwood Dr.



0 150 300 600 Feet

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On January 26, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 9 LAURELWOOD PB 15 PG 85

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

**FINDINGS OF FACT**

**Property Owner:** GENE & PATRICIA GERRY  
2306 SANDAL WOOD DRIVE  
FERN PARK, FL 32730

**Project Name:** SANDALWOOD DRIVE (2306)

**Requested Development Approval:**

1. (WEST) REAR YARD SETBACK VARIANCE FROM 10 FEET TO 5 FEET; AND
2. (NORTH) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 3 FEET FOR AN EXISTING SHED; AND
3. (WEST) REAR YARD SETBACK FROM 10 FEET TO 2.4 FEET FOR A SECOND EXISTING SHED.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Rich Steiger, Planner  
1101 East First Street  
Sanford, Florida 32771



### Order

#### **NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
  1. The variance granted will apply only to the proposed sheds as shown on the attached site plan and elevation drawings.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: \_\_\_\_\_  
Matthew West  
Planning Manager

STATE OF FLORIDA     )  
COUNTY OF SEMINOLE )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: